

FORM PTO-1390
(REV. 10-95)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE ATTORNEY'S DOCKET NUMBER

SCH 1747

U.S. APPLICATION NO. (If known, see 37 CFR §1.5)

09/509934

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. §371**

| | | |
|--|---------------------------|-----------------------|
| INTERNATIONAL APPLICATION NO. | INTERNATIONAL FILING DATE | PRIORITY DATE CLAIMED |
| PCT/EP98/06159 ✓ | 29 September 1998 ✓ | 1 October 1997 ✓ |
| TITLE OF INVENTION | | |
| NEW VITAMIN D DERIVATIVES WITH CYCLOPROPYL RINGS IN THE SAID CHAINS, PROCESS AND INTERMEDIATE PRODUCTS FOR THEIR PRODUCTION, AND THEIR USE FOR THE PRODUCTION OF PHARMACEUTICAL AGENTS | | |
| APPLICANT(S) FOR DO/EO/US | | |
| STEINMEYER, Andreas, et al. ✓ | | |

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. §371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. §371.
3. This express request to begin national examination procedures (35 U.S.C. §371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. §371(b) and PCT Articles 22 and 39(1).
4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. A copy of the International Application as filed (35 U.S.C. §371(c)(2))
 - a. is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. has been transmitted by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. A translation of the International Application into English (35 U.S.C. §371(c)(2)).
7. A copy of the International Search Report (PCT/ISA/210).
8. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3))
 - a. are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. have been transmitted by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
9. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. §371(c)(3)).
10. An oath or declaration of the inventor(s) (35 U.S.C. §371(c)(4)).
11. A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. §371(c)(5)).

Items 13. to 19. below concern document(s) or information included:

13. An Information Disclosure Statement under 37 C.F.R. §§1.97 and 1.98.
14. An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. §§3.28 and 3.31 is included.
15. A **FIRST** preliminary amendment.
- A **SECOND** or **SUBSEQUENT** preliminary amendment.
16. A substitute specification.
17. A change of power of attorney and/or address letter.
18. Certificate of Mailing by Express Mail
19. Other items or information:

| U.S. APPLICATION NO. (if known, see 37 CFR §1.3) 09/509934 | INTERNATIONAL APPLICATION NO. PCT/EP98/06159 | ATTORNEY'S DOCKET NUMBER SCH 1747 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--|---|--|----------|--|----------|--|----------|---|----------|---|---------|--------|--------------|--------------|------|--------------|-----------|---|-------------------|--------------------|---------|---|-------------------|---|--|-------------|--------|--|--|
| <p><input checked="" type="checkbox"/> The following fees are submitted:</p> <p>BASIC NATIONAL FEE (37 CFR §1.492 (a) (1) - (5)):</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Search Report has been prepared by the EPO or JPO.....</td> <td style="width: 30%; text-align: right;">\$840.00</td> </tr> <tr> <td>International preliminary examination fee paid to USPTO (37 CFR §1.482).....</td> <td style="text-align: right;">\$670.00</td> </tr> <tr> <td>No international preliminary examination fee paid to USPTO (37 CFR §1.482) but international search fee paid to USPTO (37 CFR §1.445(a)(2)).....</td> <td style="text-align: right;">\$760.00</td> </tr> <tr> <td>Neither international preliminary examination fee (37 CFR §1.482) nor international search fee (37 CFR §1.445(a)(2)) paid to USPTO.....</td> <td style="text-align: right;">\$970.00</td> </tr> <tr> <td>International preliminary examination fee paid to USPTO (37 CFR §1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....</td> <td style="text-align: right;">\$96.00</td> </tr> </table> <p style="text-align: center;">ENTER APPROPRIATE BASIC FEE AMOUNT = <input style="width: 100px; border: 1px solid black; border-radius: 5px; height: 20px; margin: 5px 0;" type="text" value="840.00"/></p> <p>Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 C.F.R. §1.492(e)). <input type="checkbox"/> 20 <input type="checkbox"/> 30 <input type="checkbox"/> \$0.00</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 15%;">CLAIMS</th> <th style="width: 25%;">NUMBER FILED</th> <th style="width: 25%;">NUMBER EXTRA</th> <th style="width: 25%;">RATE</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>13 - 20 =</td> <td>0</td> <td>x \$ 18.00 \$0.00</td> </tr> <tr> <td>Independent claims</td> <td>3 - 3 =</td> <td>0</td> <td>x \$ 78.00 \$0.00</td> </tr> <tr> <td colspan="2">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$ 260.00</td> <td>\$0.00</td> </tr> </tbody> </table> <p style="text-align: center;">TOTAL OF ABOVE CALCULATIONS = <input style="width: 100px; border: 1px solid black; border-radius: 5px; height: 20px; margin: 5px 0;" type="text" value="840.00"/></p> <p>Reduction of $\frac{1}{2}$ for filing by small entity, if applicable. A Verified Small Entity Statement must also be filed (Note 37 C.F.R. §§1.9, 1.27, 1.28). <input type="checkbox"/> SUBTOTAL = <input style="width: 100px; border: 1px solid black; border-radius: 5px; height: 20px; margin: 5px 0;" type="text" value="840.00"/></p> <p>Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 C.F.R. §1.492(f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30 <input type="checkbox"/> \$840.00</p> <p>Fee for recording the enclosed assignment (37 C.F.R. §1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. §§3.28, 3.31). \$40.00 per property. <input type="checkbox"/> TOTAL FEES ENCLOSED = <input style="width: 100px; border: 1px solid black; border-radius: 5px; height: 20px; margin: 5px 0;" type="text" value="840.00"/></p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="width: 70%;"></td> <td style="width: 30%; text-align: center;">Amount to be refunded: charged:</td> </tr> </table> <p>a. <input checked="" type="checkbox"/> A check in the amount of <u>\$840.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>13-3402</u> in the amount of <u>\$</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>13-3402</u>. A duplicate copy of this sheet is enclosed.</p> <p>NOTE: Where an appropriate time limit under 37 C.F.R. §§1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. §1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>MILLEN, WHITE, ZELANO & BRANIGAN, P.C. Arlington Courthouse Plaza I 2200 Clarendon Boulevard, Suite 1400 Arlington, Virginia 22201 (703) 243-6333</p> <p style="text-align: right; margin-right: 100px;">  SIGNATURE <u>Anthony J. Zelano</u> NAME </p> <p>Filed: Monday, April 3, 2000</p> <p>AJZ:aeK</p> <p style="text-align: right; margin-right: 100px;"> 27,969 REGISTRATION NUMBER </p> | | | Search Report has been prepared by the EPO or JPO..... | \$840.00 | International preliminary examination fee paid to USPTO (37 CFR §1.482)..... | \$670.00 | No international preliminary examination fee paid to USPTO (37 CFR §1.482) but international search fee paid to USPTO (37 CFR §1.445(a)(2))..... | \$760.00 | Neither international preliminary examination fee (37 CFR §1.482) nor international search fee (37 CFR §1.445(a)(2)) paid to USPTO..... | \$970.00 | International preliminary examination fee paid to USPTO (37 CFR §1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)..... | \$96.00 | CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | Total claims | 13 - 20 = | 0 | x \$ 18.00 \$0.00 | Independent claims | 3 - 3 = | 0 | x \$ 78.00 \$0.00 | MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | + \$ 260.00 | \$0.00 | | Amount to be refunded: charged: |
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